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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,207	11/06/2001	Andrew Divaker ShamRao		5299

7590 02/10/2005

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EXAMINER

CHAI, LONGBIT

ART UNIT PAPER NUMBER

2131

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/992,207	SHAMRAO, ANDREW DIVAKER	
	Examiner	Art Unit	
	Longbit Chai	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. No claim for priority has been made in this application.

The effective filing date for the subject matter defined in the pending claims in this application is 11/06/2001.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 4, 7 and 12 – 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Du (Patent Number: 2001/0042212), hereinafter referred to as Du.

As per claim 1, Du teaches a Personal Universal Memory (PUM) card adapted to be inserted into a computer having basic and customized modes, the PUM card comprising:

interface logic to communicate with the computer (Du: see for example, Paragraph [0030]), and

a non-volatile data storage device coupled to the interface logic, the data storage device adapted to store a data structure to store personal information and preferences for customizing the device (Du: see for example, Paragraph [0010] and [0029]) and Paragraph, wherein the computer transitions from the basic mode to the customized mode upon the insertion of the PUM card into the computer (Du: see for example, Paragraph [0031]).

As per claim 2, Du teaches the claimed invention as described above (see claim 1). Du further teaches the card is credit card sized (Du: see for example, Paragraph [0029]).

As per claim 3, Du teaches the claimed invention as described above (see claim 1). Du further teaches the computer includes one of a wired device, a wireless device, a personal digital assistant, a handheld computer, a laptop computer and a cellular telephone (Du: see for example, Paragraph [0029]).

As per claim 4, Du teaches the claimed invention as described above (see claim 1). Du further teaches the card contains an encryption key to protect all information stored on the card (Du: see for example, Paragraph [0056]).

As per claim 7, Du teaches the claimed invention as described above (see claim 1). Du further teaches the card stores an encrypted user-identification and a password to validate the user prior to using the PUM card (Du: see for example, Paragraph [0034]).

As per claim 12, Du teaches the claimed invention as described above (see claim 1). Du further teaches the non-volatile data storage device is erased (Candelore: see for example, (Du: see for example, Paragraph [0010]).

As per claim 13 and 17, Du teaches the claimed invention as described above (see claim 1). Du further teaches the user uploads his or her profile and personal information to a new card (Du: see for example, Paragraph [0058]).

As per claim 14, Du teaches the claimed invention as described above (see claim 1). Du further teaches the data to be uploaded can be sent from the user computer (Du: see for example, Paragraph [0058] Line 5).

As per claim 15, Du teaches the claimed invention as described above (see claim 1). Du further teaches the data to be uploaded is sent from a server (Du: see for example, (Du: see for example, Paragraph [0050] Line 7 – 10).

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As per claim 16, Du teaches the claimed invention as described above (see claim 1). Du further teaches the card is re-writable (Du: see for example, (Du: see for example, Paragraph [0010])).

As per claim 18, Du teaches the claimed invention as described above (see claim 1). Du further the non-volatile data storage device comprises a memory device (Du: see for example, the non-volatile data storage device is inherently embodied with a memory device).

As per claim 19, Du teaches the claimed invention as described above (see claim 1). Du further teaches a reader adapted to receive the PUM card (Du: see for example, Paragraph [0010])).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5, 6 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Du (Patent Number: 2001/0042212), hereinafter referred to as Du, in view of Candelore (Patent Number: 2002/0073315), hereinafter referred to as Candelore.

As per claim 5, Du teaches the claimed invention as described above (see claim 1). Du does not disclose expressly the card stores an encrypted biometric identity image of a user's biometric scan to compare against a subsequent biometric scan.

Candelore teaches the card stores an encrypted biometric identity image of a user's biometric scan to compare against a subsequent biometric scan (Candelore: see for example, Paragraph [0028] and [0057]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Candelore within the system of Du because Candelore enhancing the security mechanisms by using biometrical information recognition to limit access to the card only to authorized users (Candelore: see for example, Paragraph [0028] Line 5 – 10 and Paragraph [0057]).

As per claim 6, Du teaches the claimed invention as described above (see claim 5). Du does not disclose expressly the identity image is compared with the biometric scan when security is necessary during login, or during a transaction.

Candelore teaches the identity image is compared with the biometric scan when security is necessary during login, or during a transaction (Candelore: see for example, Paragraph [0057]).

See the same rationale of combination addressed above in rejecting claim 5.

As per claim 20, Du teaches the claimed invention as described above (see claim 1). Du does not disclose expressly a magnetic strip positioned on the card.

Candelore teaches a magnetic strip positioned on the card (Candelore: see for example, Figure 3b).

See the same rationale of combination addressed above in rejecting claim 5.

4. Claims 8 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Du (Patent Number: 2001/0042212), hereinafter referred to as Du, in view of Cecil (Patent Number: 6340116), hereinafter referred to as Cecil.

As per claim 9, Du teaches the claimed invention as described above (see claim 1). Du does not disclose expressly the user sets the times at which the prompts are delivered or commands executed.

Cecil teaches the user sets the times at which the prompts are delivered or commands executed (Cecil: see for example, Column 6 Line 36).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Cecil within the system of Du because Cecil teaches providing a security enhanced mechanism by taking a precaution against accidental use by the improper person after a timeout period without the data entry from

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the card owner (Cecil: see for example, Column 6 Line 32 – 33 and Column 6 Line 32 – 33 Line 36).

As per claim 8, Du teaches the claimed invention as described above (see claim 1). Du does not disclose expressly the card contains an encrypted series of time-sensitive prompts and commands to alert the user in the event that the device has been left on without interaction for a predetermined period.

Cecil teaches the card contains an encrypted series of time-sensitive prompts and commands to alert the user in the event that the device has been left on without interaction for a predetermined period (Cecil: see for example, Column 6 Line 36:).

See the same rationale of combination addressed above in rejecting claim 9.

Cecil does not disclose expressly series of time-sensitive prompts is encrypted. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Cecil to provide encryption because the data encryption for security purpose is well known in the art.

As per claim 10, Du teaches the claimed invention as described above (see claim 1). Du does not disclose expressly the card closes out a session and prevents access to the information in the PUM card while allowing access to functionality that does not require the PUM card.

Cecil teaches the card closes out a session and prevents access to the information in the PUM card while allowing access to functionality that does not require the PUM card (Cecil: see for example, Column 6 Line 40).

See the same rationale of combination addressed above in rejecting claim 9.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Du (Patent Number: 2001/0042212), hereinafter referred to as Du, in view of Candelore (Patent Number: 2002/0073315), hereinafter referred to as Candelore, and in view of Cecil (Patent Number: 6340116), hereinafter referred to as Cecil.

As per claim 11, Du teaches the claimed invention as described above (see claim 1). Du does not disclose expressly using the biometric scanner and enter a user-identification to start a login session.

Candelore teaches using the biometric scanner and enter a user-identification to start a login session (Candelore: see for example, Paragraph [0028] and [0057]).

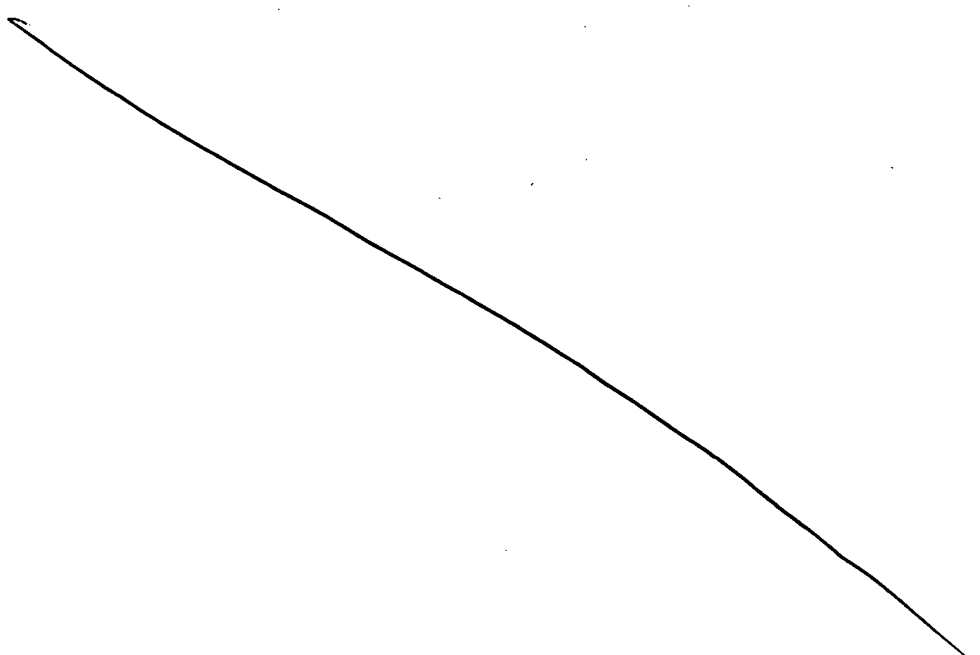
It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Candelore within the system of Du because Candelore teaches enabling the card owner to make transactions based on the user's preference information such as name of the bank and account number loaded from the personal transaction card (Candelore: see for example, Paragraph [0028] Line 5 – 10 and Paragraph [0029] Line 1 – 7).

Du in view of Candelore does not disclose expressly entering a user-identification and a password to restart an expired session.

Cecil teaches entering a user-identification and a password to restart an expired session (Cecil: see for example, Column 6 Line 40 and Column 1 Line 20 – 21: Cecil teaches PIN stands for “personal identification number” and is known only to the authorized bearer of the card or credential device and thereby can specifically serve as a password).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Cecil within the system of Du because Cecil teaches providing a security enhanced mechanism by taking a precaution against accidental use by the improper person after a timeout period without the data entry from the card owner (Cecil: see for example, Column 6 Line 32 – 33 and Column 6 Line 32 – 33 Line 36).

Accordingly, Du in view of Cecil teaches the card prompts the user to use the biometric scanner and enter a user-identification and a password to restart an expired session.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

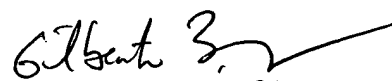
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LBC

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Art Unit 2131



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